UNITED STATES PATENT AND TRADEMARK OFFICE

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10/660,581	09/12/2003	Hiroshi Iida	117158	5273

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 February 2008*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This Office Action is regarding Applicant's response filed 14 February 2008 to a prior Office action. Claims 1 – 17 are pending. Claims 1, 2, 6 – 8 and 12 – 15 are amended.

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed 14 February 2008 in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 14 February 2008 has been entered.

3.   This Office Action is the **Third Action, Non-Final Rejection**.

Response to Arguments

35 USC § 103(a)

4.   Applicant's arguments (page 6 – 8) and amendments, filed 14 February 2008, regarding the rejection under 35 USC § 103(a) of claims 1 – 17 have been fully considered and are persuasive. For these reasons, the rejection under 35 USC § 103(a) of claims 1 – 17 is **<u>withdrawn</u>**. However, upon further consideration, a new ground of rejection is entered below.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

7.   Claims **1 – 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Fogarasi et al (US Patent 6,128,619; patented 3 October 2000) in view of Johnson et al

(US Patent 5,813,009, patented 22 September 1998) and in further view of Jeffery et al

(US Patent 6,957,384; filed 27 December 2008).

8.   In regard to **claim 1**, Fogarasi et al teaches:

        An instruction form creation server that creates an instruction form that instructs

various processes to be executed on document data (*col 5, lines 33 – 40; Hypertext

forms are created by the class definition tool*);

A plurality of service processors (*note: this is interpreted as multiple clients*) that

execute the various processes on the document data in cooperation based on the

instruction form (*col 5, lines 33 – 40; web browsers*), each service processor of the

service processors comprising:

A process part which obtains source data to be processed and executes a

process on the source data based on the instruction form to generate processed

data (*col 5, lines 33 – 40; web browsers display the source information from the*

database);

A storage part which stores the source data in relation to identifying

information that identifies the process instructed in the instruction form (*each of*

clients stores at least temporarily source data used in the displaying process).

Fogarasi et al. does not explicitly teach retention flags used by a control part.

However, Johnson et al, teaches a control part which controls the storage part based on

setting information in the instruction form which presets whether the source data should

be stored or not (*col 11, lines 29 – 40; the information filter sets retention flags*). It

would have been obvious to a person of ordinary skill in the art at the time of invention

to use the retention flags of Johnson et al. with the system of Fogarasi et al. because

various data may be updated data that must be returned to the database while other

data may only be extraneous.

Fogarasi et al. in view of Johnson et al. does not explicitly teach where the

various processes are document-modification workflow processes. However, Jeffery et

al. teaches where the various processes are document-modification workflow processes

(*see Figure 32 and col 15, lines 27 – 50; a contract document workflow system based in a web browser*).   It would have been obvious to a person of ordinary skill in the art at the time of invention to use the contract workflow management system of Jeffery et al. with the system of Fogarasi et al. in view of Johnson et al. because it allows for effective management of work products through a system and it is logical extension (and specific implementation) of the event/state system of Figure 8 of Fogarasi et al.

9.   In regard to **claim 2**, Johnson et al further teaches the storage part further stores individual identifying information that is unique to the service processor and identifies the process which is performed by the service processor (*col 10, lines 26 – 30; the filter maintains information about the device the data came from*).

10.   In regard to **claim 3**, Johnson et al further teaches the storage part stores the source data, which is encrypted depending on a predetermined setting of encryption (*col 20, lines 43 – 44; encryption is optional*).

11.   In regard to **claim 4**, Fogarasi et al further teaches a storage device which stores the source data stored in the storage part (*each of clients stores at least temporarily source data used in the displaying process*).

12.   In regard to **claim 5**, Johnson et al further teaches the storage device obtains and stores the source data in relation to the identifying information stored in the storage part of the service processor at a predetermined threshold value or a predetermined timing (*col 11, lines 47 – 48; the Special Handling module has a specified retention period for data within*).

13.   In regard to **claim 6**, Johnson et al further teaches the storage device stores differential information before and after the various processes as the source data among service processors (*col 12, lines 16 – 19; record data is stored about information "before" and "after" information is sent to the ILM database*).

14.   In regard to **claim 7**, Fogarasi et al teaches:

Creating an instruction form that instructs various processes to be executed on document data by plural service processors in cooperation (*col 5, lines 33 – 40; Hypertext forms are created by the class definition tool*)

Executing the processes on source data with the service processors connected to a network to generate processed data, based on the instruction form (*col 5, lines 33 – 40; web browsers display the source information from the database*); and

Storing the source data in a predetermined storage area in relation to identifying information that identifies one of the processes instructed in the instruction form based on setting information in the instruction form.

Fogarasi et al does not explicitly teach retention flags used by a control part. However, Johnson et al teaches a control part which controls the storage part based on setting information in the instruction form which presets whether the source data should be stored or not (*col 11, lines 29 – 40; the information filter sets retention flags*). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the retention flags of Johnson et al with the system of Fogarasi et al because various data may be updated data that must be returned to the database while other data may only be extraneous.

Fogarasi et al. in view of Johnson et al. does not explicitly teach where the various processes are document-modification workflow processes. However, Jeffery et al. teaches where the various processes are document-modification workflow processes (*see Figure 32 and col 15, lines 27 – 50; a contract document workflow system based in a web browser*).   It would have been obvious to a person of ordinary skill in the art at the time of invention to use the contract workflow management system of Jeffery et al. with the system of Fogarasi et al. in view of Johnson et al. because it allows for effective management of work products through a system and it is logical extension (and specific implementation) of the event/state system of Figure 8 of Fogarasi et al.

15.   In regard to **claim 8**, Johnson et al further teaches the storage part further stores individual identifying information that is unique to the service processor and identifies the process which is performed by the service processor (*col 10, lines 26 – 30; the filter maintains information about the device the data came from*).

16.   In regard to **claim 9**, Johnson et al further teaches the source data is encrypted depending on a setting of encryption included in the instruction form and is then stored in the storage area (*col 20, lines 43 – 44; encryption is optional*).

17.   In regard to **claim 10**, Johnson et al and Fogarasi et al further teaches the storage area is the service processor (*Johnson et al: Information Filter (fig 1A); Fogarasi et al: each of clients stores at least temporarily source data used in the displaying process*).

18.   In regard to **claim 11**, Johnson et al further teaches the storage area is the storage device connected to the network (*ILM database (fig 1B)*).

19.   In regard to **claim 12**, Johnson et al further teaches the source data to be stored

stores differential information before and after the processes as the source data among

the service processors (*col 12, lines 16 – 19; record data is stored about information*

"before" and "after" information is sent to the ILM database).

20.   In regard to **claim 13**, Fogarasi et al teaches

A process part which obtains source data to be processed and executes a

process on the source data based on the instruction form to generate processed data

(*col 5, lines 33 – 40; web browsers display the source information from the database*

Hypertext forms are created by the class definition tool) ;

A storage part which stores the source data in relation to identifying information

that identifies the process instructed in the instruction form (*each of clients stores at*

least temporarily source data used in the displaying process).

Fogarasi et al does not explicitly teach retention flags used by a control part.

However, Johnson et al teaches a control part which controls the storage part based on

setting information in the instruction form which presets whether the source data should

be stored or not (*col 11, lines 29 – 40; the information filter sets retention flags*). It

would have been obvious to a person of ordinary skill in the art at the time of invention

to use the retention flags of Johnson et al with the system of Fogarasi et al because

various data may be updated data that must be returned to the database while other

data may only be extraneous.

Fogarasi et al. in view of Johnson et al. does not explicitly teach where the

various processes are document-modification workflow processes. However, Jeffery et

al. teaches where the various processes are document-modification workflow processes

(*see Figure 32 and col 15, lines 27 – 50; a contract document workflow system based in*

a web browser).   It would have been obvious to a person of ordinary skill in the art at

the time of invention to use the contract workflow management system of Jeffery et al.

with the system of Fogarasi et al. in view of Johnson et al. because it allows for effective

management of work products through a system and it is logical extension (and specific

implementation) of the event/state system of Figure 8 of Fogarasi et al.

21.   In regard to **claim 14**, Fogarasi et al teaches

         A processor provided to a service domain, the processor obtaining source data

and executing processes on the source data to generate processed data, based on an

instruction form that instructs various processes to be executed on document data (*col*

5, lines 33 – 40; web browsers display the source information from the database

Hypertext forms are created by the class definition tool);

         A storage provided to a service domain, the storage storing the source data to be

processed at the service domain with data from the instruction form for defining the

processes instructed in the instruction form (*each of clients stores at least temporarily*

source data used in the displaying process).

         Fogarasi et al does not explicitly teach retention flags used by a control part.

However, Johnson et al teaches a control part which controls the storage part based on

setting information in the instruction form which presets whether the source data should

be stored or not (*col 11, lines 29 – 40; the information filter sets retention flags*). It

would have been obvious to a person of ordinary skill in the art at the time of invention

to use the retention flags of Johnson et al with the system of Fogarasi et al because various data may be updated data that must be returned to the database while other data may only be extraneous.

Fogarasi et al. in view of Johnson et al. does not explicitly teach where the various processes are document-modification workflow processes. However, Jeffery et al. teaches where the various processes are document-modification workflow processes (*see Figure 32 and col 15, lines 27 – 50; a contract document workflow system based in a web browser*).   It would have been obvious to a person of ordinary skill in the art at the time of invention to use the contract workflow management system of Jeffery et al. with the system of Fogarasi et al. in view of Johnson et al. because it allows for effective management of work products through a system and it is logical extension (and specific implementation) of the event/state system of Figure 8 of Fogarasi et al.

22.   In regard to **claim 15**, Johnson et al further teaches the storage stores the source data with a self-identifying data for identifying process to be executed at the service domain (*col 11, lines 29 – 40; data is stored to identify a service to be performed later*).

23.   In regard to **claim 16**, Johnson et al further teaches the preset data includes an encrypting setting (*col 20, lines 43 – 44; encryption is optional*).

24.   In regard to **claim 17**, Johnson et al further teaches a main storage that stores the source data stored in the storage (*Special Handing module (22), Information Filter (fig 1A) and ILM database (fig 1C)*).

Conclusion

25.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure: US 5550976 A; US 5706452 A; US 5999911 A; US 20020083090

A1; US 6778972 B2.

26.   The Examiner requests, in response to this Office action, that support be shown

for language added to any original claims on amendment and any new claims. That is,

indicate support for newly added claim language by specifically pointing to page(s) and

line no(s) in the specification and/or drawing figure(s). This will assist the Examiner in

prosecuting the application.

27.   When responding to this Office action, Applicant is advised to clearly point out

the patentable novelty which he or she thinks the claims present, in view of the state of

the art disclosed by the references cited or the objections made. He or she must also

show how the amendments avoid such references or objections See 37 CFR 1.111(c).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Garrett Smith whose telephone number is (571) 270-

1764. If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Tim T. Vo can be reached on (571) 272-3642. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 10, 2008   /GS/
                                                      Garrett Smith
                                                      Patent Examiner
                                                      Art Unit 2168

/Tim T. Vo/
Supervisory Patent Examiner, Art Unit 2168